

SENATE BILL 223

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 67,  
relative to unattended food establishments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-6-102, is amended by adding the following as new, appropriately designated subdivisions:

( ) "Micro market" means an unattended food establishment that:

(A) Includes one (1) or more micro market displays;

(B) Has an automated payment kiosk or other device designated for self-checkout by the consumer by means of electronic payment;

(C) Has controlled entry not accessible by the general public; and

(D) Provides commercially prepackaged food or ready-to-eat food,

including, without limitation:

(i) Items prepackaged in tamper-evident packaging;

(ii) Products containing nutrition information required by the federal Food, Drug, and Cosmetic Act (21 U.S.C. § 301 et seq.); or

(iii) Products containing a freshness or expiration date;

( ) "Micro market display" means a place where food being sold by a micro market is displayed, including a:

(A) Refrigerator or refrigerated cooler;

(B) Freezer;

(C) Vending machine;

(D) Open rack;

(E) Beverage dispenser; or

(F) Single-service coffee brewer; and

( ) "Unattended" means sales of goods are processed electronically without the physical presence of a person operating the market sales checkout;

SECTION 2. Tennessee Code Annotated, Section 67-6-202(c), is amended by deleting the language "from any vending machine" and substituting instead the language "from any micro market or vending machine".

SECTION 3. Tennessee Code Annotated, Section 67-6-329(a)(18), is amended by deleting the language "from any vending machine" and substituting instead the language "from any micro market or vending machine"; and is further amended by deleting the language "including vending machines" and substituting instead the language "including micro markets and vending machines".

SECTION 4. Tennessee Code Annotated, Section 67-6-504, is amended by adding the following as a new subsection:

Notwithstanding any law to the contrary, a dealer who owns and operates multiple micro markets in the state may file a single return for all sales or purchases made at micro markets within this state and report on a consolidated basis all sales and purchases made at micro markets within each local jurisdiction owned and operated by the dealer and taxable under this chapter.

SECTION 5. Tennessee Code Annotated, Section 67-6-601(a), is amended by deleting the subsection and substituting the following:

Every person desiring to engage in or conduct business as a dealer in this state shall file with the commissioner an application for a certificate of registration for each place of business; however, a person operating multiple micro markets in this state may file with the commissioner a single certificate of registration for each local jurisdiction in which it operates micro markets.

SECTION 6. This act takes effect October 1, 2021, the public welfare requiring it.